

Bruce L. Simon (Bar No. 92641)
 Esther L. Klisura (Bar No. 221171)
 PEARSON, SIMON, SOTER, WARSHAW & PENN
 44 Montgomery Street, Suite 1200
 San Francisco, California 94104
 Tel. (415) 433-9000 Fax (415) 433-9008
 Counsel for Plaintiffs

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

<p>Franklyn Ajaye, et al. v. Air New Zealand, Ltd., et al.</p>	<p>Plaintiff(s) Defendant(s)</p>
<p>CASE NUMBER: CV-07-5911 JSW</p>	
<p>PROOF OF SERVICE SUMMONS AND COMPLAINT (Use separate proof of service for each person/party served)</p>	

1. At the time of service I was at least 18 years of age and not a party to this action and I served copies of the (specify documents):

a. summons complaint alias summons first amended complaint
 second amended complaint
 third amended complaint

2. Person served:
Order Setting Initial Case Mgt. Conf. & ADR Deadlines, Civil Standing Orders, Standing Order for All Judges of the No. Dist. of Calif., and ECF Reg. Info. Handout

a. Defendant (name): Northwest Airlines Corporation

b. Other (specify name and title or relationship to the party/business named): Deb Van Ness, Authorized Agent CT Corporation System, Inc.

c. Address where papers were served: 100 South 5th Street #1075, Minneapolis, Minnesota

3. Manner of Service in compliance with (the appropriate box must be checked):

a. Federal Rules of Civil Procedure
 California Code of Civil Procedure

4. I served the person named in Item 2:

a. By Personal service. By personally delivering copies. If the person is a minor, by leaving copies with a parent, guardian, conservator or similar fiduciary and to the minor if at least twelve (12) years of age.

1. Papers were served on (date): December 26, 2007 at (time): 2:45 pm

b. By Substituted service. By leaving copies:

1. (home) at the dwelling house, usual place of abode, or usual place of business of the person served in the presence of a competent member of the household, at least 18 years of age, who was informed of the general nature of the papers.

2. (business) or a person apparently in charge of the office or place of business, at least 18 years of age, who was informed of the general nature of the papers.

3. Papers were served on (date): _____ at (time): _____

4. by mailing (by first-class mail, postage prepaid) copies to the person served in Item 2(b) at the place where the copies were left in Item 2(c).

5. papers were mailed on (date): _____

6. due diligence: I made at least three (3) attempts to personally serve the defendant.

- c. Mail and acknowledgment of service. By mailing (*by first-class mail or airmail, postage prepaid*) copies to the person served, with two (2) copies of the form of Waiver of Service of Summons and Complaint and a return envelope, postage prepaid addressed to the sender. (Attach completed Waiver of Service of Summons and Complaint).
- d. Service on domestic corporation, unincorporated association (including partnership), or public entity. (F.R.Civ.P. 4(h)) (C.C.P. 416.10) By delivering, during usual business hours, a copy of the summons and complaint to an officer, a managing or general agent, or to any other agent authorized by appointment or by law to receive service of process and, if the agent is one authorized by statute and the statute so requires, by also mailing, by first-class mail, postage prepaid, a copy to the defendant.
- e. Substituted service on domestic corporation, unincorporated association (including partnership), or public entity. (C.C.P. 415.20 only) By leaving during usual office hours, a copy of the summons and complaint in the office of the person served with the person who apparently was in charge and thereafter by mailing (*by first-class mail, postage prepaid*) copies to the persons at the place where the copies were left in full compliance with C.C.P. 415.20. Substitute service upon the California Secretary of State requires a court order. (Attach a copy of the order to this Proof of Service).
- f. Service on a foreign corporation. In any manner prescribed for individuals by FRCP 4(f).
- g. Certified or registered mail service. By mailing to an address outside California (*by first-class mail, postage prepaid, requiring a return receipt*) copies to the person served. (Attach signed return receipt or other evidence of actual receipt by the person served).
- h. Other (specify code section and type of service): _____

5. Service upon the United States, and Its Agencies, Corporations or Officers.

- a. by delivering a copy of the summons and complaint to the clerical employee designated by the U.S. Attorney authorized to accept service, pursuant to the procedures for the Office of the U.S. Attorney for acceptance of service, or by sending a copy of the summons and complaint by registered or certified mail addressed to the civil process clerk at the U.S. Attorneys Office.

Name of person served: _____

Title of person served: _____

Date and time of service: (date): _____ at (time): _____

- b. By sending a copy of the summons and complaint by registered or certified mail to the Attorney General of the United States at Washington, D.C. (Attach signed return receipt or other evidence of actual receipt by the person served).

- c. By sending a copy of the summons and complaint by registered or certified mail to the officer, agency or corporation (Attach signed return receipt or other evidence of actual receipt by the person served).

6. At the time of service I was at least 18 years of age and not a party to this action.

7. Person serving (name, address and telephone number):

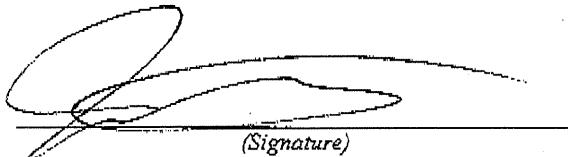
John Bauer _____
 Major Legal _____
 7455 France Avenue South, #272 _____
 Minneapolis, MN 55735 _____

- a. Fee for service: \$ 45 /
 b. Not a registered California process server
 c. Exempt from registration under B&P 22350(b)
 d. Registered California process server

8. I am a California sheriff, marshal, or constable and I certify that the foregoing is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Date: January 14, 2008



(Signature)

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Franklyn Ajaye, Ming-Chun Wu Chen, Tzu-Chiao Chen,
Rayna Rusenko, Titi Tran, Boris Zingerman, and Galina
Zingerman, on behalf of themselves and all others similarly
situated.

v.

Air New Zealand, Ltd., All Nippon Airways Co., Ltd., China
Airlines, Ltd., EVA Airways Corporation, Japan Airlines
Corporation, Northwest Airlines Corporation, Qantas
Airways, Ltd., Singapore Airlines, Ltd., and Thai Airways
International Public Company, Ltd.

CASE NUMBER:

JSW

Q9

5-1

TO: (Name and address of defendant)

See Attachment A.

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Bruce L. Simon
Esther L. Klisura
PEARSON, SIMON, SOTER, WARSHAW & PENNY, LLP
44 Montgomery Street, Suite 1200
San Francisco, California 94104

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgement by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

NOV 21 2007

Richard W. Wierking

CLERK

DATE

(BY) DEPUTY CLERK

NDCAC0440

RETURN OF SERVICE

DATE

Service of the Summons and Complaint was made by me¹

DECEMBER 26, 2007

Name of SERVER

John Bauer

TITLE

PROCESS SERVER

Check one box below to indicate appropriate method of service

Served Personally upon the Defendant. Place where served:

CT. CORPORATION SYSTEM INC.

100 S. 5TH ST. #1075, MINNEAPOLIS, MN

Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

Name of person with whom the summons and complaint were left:

Returned unexecuted:

Other (specify):

4/2 DEB VAN NESS - AUTHORIZED AGENT

STATEMENT OF SERVICE FEES

TRAVEL SERVICES TOTAL

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on

12.28.07

Date

Signature of Server

7455 FRANCE AVE. S. #272, MINNEAPOLIS, MN 55435
Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure